

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT ELECTRONICALLY
FILED
DOC#: _____
DATE FILED: 8-14-20

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UNITED STATES OF AMERICA :
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- v. - :
:
BRANDON JOHNSON, et. al., :
:
Defendants. :
----- X

PROTECTIVE ORDER

19 Cr. 828 (ALC)

Upon the application of the United States of America, Audrey Strauss, Acting United States Attorney for the Southern District of New York, by and through Ryan Finkel and Mollie Bracewell, Assistant United States Attorneys, of counsel, for an order precluding the dissemination of material produced pursuant to (i) Fed R. Crim. P. 16 ("Rule 16 Material") and (ii) 18 U.S.C. § 3500 and/or *Giglio v. United States*, 405 U.S. 150 (1972) ("3500 Material," and with Rule 16 Material, "Discovery Material"),¹ and providing additional protections to a designated subset of Rule 16 Material which has been classified as "Highly Confidential,"² and based on the Court's independent review,

¹ 3500 Material will be marked with "3500" on the document or otherwise identified to defense counsel at the time it is produced.

² Highly Confidential Rule 16 Material will be marked with "Highly Confidential" on the document or otherwise identified to defense counsel at the time it is produced.

IT IS HEREBY ORDERED that

(1) defense counsel must destroy or return to the Government all Discovery Material (and any copies thereof) at the conclusion of the trial of this matter, when any appeal has become final, or when the time for a defendant to appeal has lapsed, whichever is later;

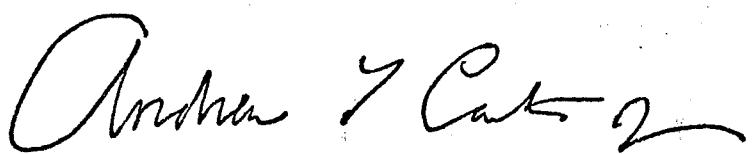
(2) the defense and the defendant are precluded from disseminating any Discovery Material to anyone beyond the defendant, defense counsel, and any paralegal, staff, expert or investigator employed by the defense for the purpose of defending this action; and

(3) the defendant is precluded from taking or keeping any copies, or derivative notes, of the 3500 Material or Highly Confidential Rule 16 Material including into any jail facility; except that the defendant may review copies of the 3500 Material or Highly Confidential Rule 16 Material in the possession of defense counsel or any paralegal or staff employed by the defense, when in the presence of defense counsel or any paralegal or staff employed by the defense, including during virtual meetings between client and counsel (e.g. Skype). During such virtual meetings 3500 Material or Highly Confidential may be shared or displayed but such material may not be transmitted to the defendant via

email, file transfer or otherwise.

IT IS FURTHER ORDERED that the defendant, defense counsel, and any paralegal or staff employed by the defense are precluded from publicly disclosing or disseminating the identity of any witnesses or victims identified in the Discovery Material.

Dated: New York, New York
August 14, 2020



HON. ANDREW L. CARTER JR.
UNITED STATES DISTRICT JUDGE